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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences



PATENT

In re Application of

Confirmation No.: 3886

Shinichiro OKAMOTO et al

Art Unit: 3713

S. N. 09/819,168

Examiner: B. A. D. Nguyen

Filed: March 27, 2001

For: GAME MACHINE AND INFORMATION STORAGE MEDIUM

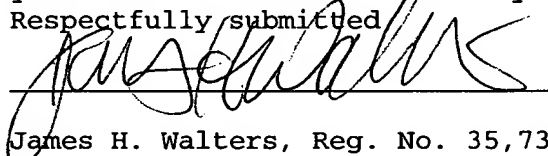
TRANSMITTIAL OF REVISED BRIEF ON BEHALF OF APPELLANT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the notice mailed January 24, 2006, a revised appeal brief is submitted herewith. This revised brief adds heading references to the number CFR section, and adds an evidence appendix page noting that there is no evidence appendix, and a related proceedings appendix page noting that there is no related proceedings appendix. Please contact the undersigned if you have any questions or comments. Thank you.

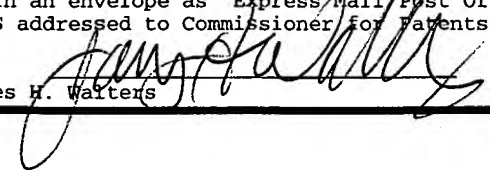
Respectfully submitted


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James H. Walters

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REVISED BRIEF ON BEHALF OF APPELLANT

Commissioner for Patents
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Alexandria, VA 22313-1450

Sir:

This is an appeal from the Examiner's final rejection mailed December 3, 2004. This is applicant's first brief submission in the appeal.

Real party in interest (37CFR41.37(c)1(i))

The real party in interest is NAMCO LTD., 8-5, TAMAGAWA 2-CHOME, OHTA-KU, TOKYO, JAPAN 146-8656, the assignee of the application.

Related appeals and interferences (37CFR41.37(c)1(ii))

No related appeals or interferences are known to appellant, the appellant's legal representative, or assignee, which will

directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

Status of claims (37CFR41.37(c)1(iii))

Claims 1-8, 14-18 and 45-49 are pending in the application, and are rejected, and are the claims under appeal. Appellant wishes to prosecute this appeal with respect to claims 1-8, 14-18 and 45-49.

This application was originally filed March 27, 2001, claiming priority of a Japanese application filed March 30, 2000. A final office action was issued December 3, 2004. No amendment after final was filed. Thus, this appeal was filed.

The status of the claims is, in view of the final action, as follows:

1. Rejected (under 35 U.S.C. §102(e)).
2. Rejected (under 35 U.S.C. §102(e)).
3. Rejected (under 35 U.S.C. §102(e)).
4. Rejected (under 35 U.S.C. §102(e)).
5. Rejected (under 35 U.S.C. §102(e)).
6. Rejected (under 35 U.S.C. §102(e)).
7. Rejected (under 35 U.S.C. §102(e)).
8. Rejected (under 35 U.S.C. §102(e)).
9. Canceled.
10. Canceled.
11. Canceled.

12. Canceled.
13. Canceled.
14. Rejected (under 35 U.S.C. §102(e)).
15. Rejected (under 35 U.S.C. §102(e)).
16. Rejected (under 35 U.S.C. §102(e)).
17. Rejected (under 35 U.S.C. §102(e)).
18. Rejected (under 35 U.S.C. §102(e)).
19. Canceled.
20. Canceled.
21. Canceled.
22. Canceled.
23. Canceled.
24. Canceled.
25. Canceled.
26. Canceled.
27. Canceled.
28. Canceled.
29. Canceled.
30. Canceled.
31. Canceled.
32. Canceled.
33. Canceled.
34. Canceled.
35. Canceled.

36. Canceled.
37. Canceled.
38. Canceled.
39. Canceled.
40. Canceled.
41. Canceled.
42. Canceled.
43. Canceled.
44. Canceled.
45. Rejected (under 35 U.S.C. §103(a)).
46. Rejected (under 35 U.S.C. §103(a)).
47. Rejected (under 35 U.S.C. §103(a)).
48. Rejected (under 35 U.S.C. §103(a)).
49. Rejected (under 35 U.S.C. §102(e)).
50. Canceled.

Status of amendments (37CFR41.37(c)1(iv))

No amendment after final was made. Applicants proceed on the basis of the amendment in response to the office action of March 2, 2004, having been entered. Therefore, claims 1-8, 14-18 and 45-49 are present and are appealed.

Summary of claimed subject matter (37CFR41.37(c)1(v))

This invention relates to a game machine and information storage medium, for displaying a two-dimensional image obtained through the perspective projection conversion of a three-

dimensional virtual space as looked at from a predetermined visual point position.

Subject matter of independent claim 1, a game machine, comprises a movement instructing unit to instruct movement of a player character in a three-dimensional space. This can comprise, for example, a controller 300 (FIG. 2, specification page 23, line 12). The claim also calls for a space setting unit for setting the shapes of a player character and an object existing around the player character and their arrangement in said virtual space, which is shown by item 124 of FIG. 1 (page 22, lines 8-12, page 23, lines 13-14), for example. An image generating unit 180 (page 21, lines 28-29 (bottom of page), FIG. 1, page 23, lines 14-15) generates an image in the virtual space as looked from a virtual visual point position. A timing decision unit 128 (FIG. 1, page 21, line 15, page 22, lines 22-28) is provided for deciding the timing at which said player character and said object satisfy relatively a predetermined relation for at least one of the shapes and the arrangement in said virtual space. A timer 130 (FIG. 1, page 21, line 15-16, page 22, line 1) for measuring a fixed time after the timing decision unit decides that a player character and object satisfy the predetermined relation. When the fixed time is elapsed, a visual point position setting unit 122 (FIG. 1, page 21, lines 13-14, page 26, line 1 and following pages) shifts the visual

point position along with the movement of the player character so that said player character may be contained in a visual field range. The visual point position is changes in a predetermined range almost centered at said player character.

The subject matter of independent claim 14 is directed to a game machine, comprising a movement instruction unit instructing the movement of a player character in a three-dimensional virtual space, which, as noted above, can comprise, for example, a controller 300 (FIG. 2, specification page 23, line 12, FIG. 14). The claim also calls for a space setting unit for setting the shapes of a player character and an object existing around the player character and their arrangement in said virtual space, which is shown by item 124 of FIG. 1, FIG. 14, (page 22, lines 8-12, page 23, lines 13-14, page 32 line 8 and following), for example. An image generating unit 180 (page 21, lines 28-29 (bottom of page), FIG. 1, page 23, lines 14-15) generates an image in the virtual space as seen from a virtual visual point position. A change instructing unit (controller 300, FIG. 14, page 32, line 17 and following) is provided for instructing the change of said visual point position and a visual point position setting unit (122A) for shifting said visual point position set in said virtual space, along with the movement of said player character, so that said player character may be contained in a visual field range, and changing said visual point position in a

predetermined range almost centered at said player character, when a change instruction is made by said change instructing unit after a predetermined duration being greater than zero (FIG. 14, page 32 line 17 and following).

Independent claim 45 subject matter relates to a game machine comprising a movement instructing unit (controller 300, FIG. 20), for instructing the movement of a player character in a three-dimensional virtual space; a space setting unit (FIG. 20, item 124) for setting the shapes of said player character and an object existing around the player character, and their arrangement in said virtual space; an image generating unit (180, FIG. 20) for generating an image in said virtual space as seen from a virtual visual point position; timing decision unit (128, FIG. 20) for deciding the timing at which said player character and said object satisfy relatively a predetermined relation for at least one of the shapes and the arrangement in said virtual space; return instructing unit (part of controller 300, FIG. 20, page 40, bottom of page, lines 28-29) for making a return instruction of returning the changed degree of transparency for the object to an original state, when the degree of transparency for said object is changed; a visual point position setting unit 122C (FIG. 20, page 39, lines 1-7) for shifting said visual point position, along with the movement of said player character, so that said player character may be contained in a visual field

range; and a transmission processing unit 132 (FIG. 20, page 39, line 24 - page 40 line 7) for performing a transmission process of changing the degree of transparency for the object placed between said player character and said visual point position, when said timing decision unit decides that said player character and said object satisfy the predetermined relation and after the elapse of a time greater than zero, as well as returning the changed degree of transparency to the original state, when a return instruction is issued by said return instructing unit.

Independent claim 49 subject matter relates to an information storage medium (CD-ROM 190, for example, in FIGs. 1, 20, 28, page 19 lines 20-21, for example) storing a program for enabling a computer to execute a process of deciding a timing (step 102 FIG. 4) at which player character and an object existing around the player character satisfy relatively a predetermined relation for at least one of a shape and an arrangement in a virtual space (FIG. 4, page 25, line 24 and following pages discussing FIG. 4 steps), and changing (step 103, FIG. 4) the visual point position in a predetermined range almost centered (page 4, line 4, FIG. 7) at said player character after the elapse of a fixed time (page 4, line 4-5). The fixed time is more than zero.

Grounds of rejection to be reviewed on appeal

(37CFR41.37(c)1(vi))

The broad issue presented in this appeal is whether the Examiner's final rejections of claims 1-8, 14-18 and 45-49 are correct. The issues of grounds of rejection may be stated more narrowly as:

Grounds 1. Whether claim 49 is unclear.

Grounds 2. Whether claims 1-8, 14-18 and 49 are unpatentable under 35 U.S.C. §102(e) as being anticipated by Miyamoto et al, U.S. Patent 6,139,433.

Grounds 3. Whether claims 45-48 Are unpatentable under 35 U.S.C. §103(a) over Miyamoto et al, U.S. Patent 6,139,433 and further in view of Rieder, U.S. Patent 6,017,272.

Grounds 4. Whether applicant's claims, when interpreted in view of the specification, provide a delayed visual point repositioning.

ARGUMENT (37CFR41.37(c)1(vii))

Arguments relative to the rejections

1. Claim 49 is clear.

Claim 49 is not specifically rejected under any statute as far as appellants can determine. The final action states that claim 49 is unclear since it does not include a term such as comprising to define where the preamble ends and the body of the

claim starts. This was a new grounds of rejection raised in the final office action. No amendment was made that would have changed the interpretation of claim 49 with respect to this issue, so it is submitted that the rejection should not have been made, or should not have been final. Appellant can find no requirement that a term such as "comprising" be present in a claim in order for the claim to be clear. While it is true that claims typically use the word "comprising" or "including" or such in their construction to transition between a preamble and the body of the claim, claim 49 is structured such that use of a transition word is not appropriate. But this structure and the resultant not needing the word "comprising" or the like, does not make the claim unclear. Indeed, there is a very similar claim construction in an issued U.S. patent, 6,111,174:

6. An information storage medium storing a program sequence for estimating a released key velocity of a key incorporated in a keyboard musical instrument on the basis of a relation between released key velocity and other key-touch factors including at least one key-touch factor relating to the striking of a string for generating a sound, said other factors being contained in supplied pieces of music data information.

It is submitted that this issued patent claim shows that such a structure of a claim is valid.

Further, claim 49 is clear from its plain reading that the claim is directed to an information storage medium, and that the

portions of the claim that follow that phrase, would be clearly construable as the "body" of the claim.

49. (previously presented) An information storage medium storing a program for enabling a computer to execute a process of deciding a timing at which player character and an object existing around the player character satisfy relatively a predetermined relation for at least one of a shape and an arrangement in a virtual space, and changing the visual point position in a predetermined range almost centered at said player character after the elapse of a fixed time wherein said fixed time is more than zero.

The meaning of the claim is clear. The appellant should not be required to use a term such as "comprising" when the claim is clear without such term.

Although applicant still believes that there is no requirement that a transition word is required, applicant notes that typical transition words employed in claims include: "comprising", "having", "including", "being", for example. (See Chisum on Patents §8.06[1][b][ii]). Here, in claim 49, applicant has used the word "storing", to note that it is an information storage medium, and the word "storing" is believed to make it sufficiently clear what the claim relates to and where the body of the claim begins, and if it is deemed by the Board that a transition word is required, the word "storing" in claim 49 should be sufficient to meet such requirement.

It is accordingly requested that claim 49 be deemed to be clear.

2. Claims 1-8, 14-18 and 49 are patentable over Miyamoto et al, U.S. Patent 6,139,433.

The Miyamoto document discloses many features of a video game including moving a camera in a play environment to the side of an obstacle when the player-controlled object (or character) goes behind and becomes hidden by the obstacle. However, the document does not anticipate applicant's invention as claimed.

Subheading: Group 2 arguments regarding
claims 1-8

Independent claim 1, and claims 2-8 which depend from claim 1, include the recitation "visual point position setting unit for shifting said visual point position....when the elapsed time of said fixed time is detected by said timer". This is an important and significant distinction not anticipated by Miyamoto. Miyamoto provides rigorous and detailed video game design teachings, but it does not teach or suggest providing a delayed visual point repositioning. Only applicant has recognized the advantage of delaying visual point repositioning to avoid confusing the player's grasp of the game environment. Miyamoto teaches instant movement of a camera trained on a player-controlled object (Mario) as soon as the player-controlled object "can not be viewed or 'photographed' by the camera" (col. 31 line 49). Miyamoto teaches (col. 31 line 50) "to continuously display Mario at all times". To continuously display the player-controlled object (Mario) requires there be no delay. It is a

central feature of Miyamoto's camera angle manipulation aspect of game design teaching to "prevent obstruction between the eye of the camera and the operable object" (col. 3 lines 10-11). It is the applicant who recognizes that players get confused as to where they are in the playing environment when the emphasis is on following the operable object as is done with prior art video games, and as is done by Miyamoto et al. And, it is the applicant who has invented a solution to avoid the confusion by delaying for a fixed time visual point repositioning. At least by the Claim 1 recitations identified here claim 1, and claims 2-8 which depend therefrom, avoid and are not anticipated by Miyamoto.

The Examiner seems to be equating the fixed time by which a change in viewing perspective is delayed in applicant's invention as claimed with the use of periods of time in the Miyamoto document. However, the periods of time in Miyamoto have nothing to do with delaying movement of Miyamoto's camera angle. Most uses of time periods in Miyamoto regard software details. Column 25, lines 10-15 of Miyamoto describe camera angles determined as a function of time during title and game ending demonstrations. One use detects inactivity of Mario. The only use of the term "timer" by Miyamoto is column 10, line 59, and is regarding allowing external devices to interrupt the main processor. Applicant has recognized and has solved the problem of throwing

the player into a state of confusion about the player character's whereabouts as happened in the player environment with prior art automatic camera movements. Applicant delays visual point position movement with a time delay, not by using time periods similar to those taught by Miyamoto.

While the Examiner is of the position in the final office action (page 3 of the final action of September 3, 2004, lines 17-18) that at column 45 lines 10-31 (and FIG. 32), Miyamoto et al teach the visual point position changing in a predetermined range almost centered at the player after the elapse of a fixed time, applicants respectfully submit that Miyamoto et al are not teaching what applicants claim.

Studying this portion of Miyamoto et al as referred to by the Examiner, particularly FIG. 32, we determined that what is happening in the cited portion is that if a time of "T1 or longer time" elapses since Mario stopped moving, then "MARIO LOOKS AROUND".

Looking then at the text of the specification discussing this portion of FIG. 32, it can be seen that it is not the visual point that is shifted by the step "MARIO LOOKS AROUND", but instead, the animation of the character Mario on the screen is displayed to be looking around. This portion of Miyamoto et al is teaching only that the character displayed on the view screen of the game is made to appear to be "looking around". There is

no teaching or suggestion that somehow the visual point position is changed. The viewpoint or visual point seen by the player is not changed. Only the animated character on the screen is made to appear as if it is looking around. Thus, the Miyamoto document does not teach or suggest what applicant is claiming in claims 1-8.

Subheading: Group 2 arguments regarding
claims 14-18 and 49

Applicant's independent claims 14 and 49 further highlight applicant's inventive use of time durations to help a player of applicant's video game grasp the display contents. Claims 15-18 depend from and include all the limitations of claim 14.

The arguments presented above with respect to claims 1-8 also apply here to claims 14-18 and 49. Further, claims 14-18 and 49 include the concept that the duration or time is greater than zero.

These claims include the concept of changing the visual point position in a predetermined range almost centered the player character . . . after a predetermined time (or duration) has elapsed. That amount of time is greater than zero.

Miyamoto et al do not have such a concept.

While the Examiner is of the position in the final office action (page 3 of the final action of September 3, 2004, lines 17-18, that at column 45 lines 10-31 (and FIG. 32), Miyamoto et al teach the elapsed time (or predetermined duration) is greater

than zero, applicants respectfully submit that Miyamoto et al are not teaching what applicants claim.

Studying this portion of Miyamoto et al as referred to by the Examiner, particularly FIG. 32, we determined that what is happening in the cited portion is that if a time of "T1 or longer time" elapses since Mario stopped moving, then "MARIO LOOKS AROUND".

Looking then at the text of the specification discussing this portion of FIG. 32, it can be seen that it is not the visual point that is shifted by the step "MARIO LOOKS AROUND", but instead, the animation of the character Mario on the screen is displayed to be looking around. This portion of Miyamoto et al is teaching only that the character displayed on the view screen of the game is made to appear to be "looking around". There is no teaching or suggestion that somehow the visual point position is changed. The viewpoint or visual point seen by the player is not changed. Only the animated character on the screen is made to appear as if it is looking around.

So, even if the Miyamoto document teaches an elapsed time greater than zero, the action and use based on the elapse of that time or duration is not at all related to applicant's claims.

Considering Miyamoto et al in general, while the Miyamoto et al patent certainly does show moving the view point of a camera and that such view point movement is by rotating the camera

around essentially the center position of the character (see, for example, FIG. 20A and FIG. 20B of Miyamoto et al), this movement results from the situation when a wall or other item is blocking the camera view of Mario. The patent does not teach using a timer to wait a certain amount of time. By reading of the patent, it would appear that this movement will automatically happen as soon as the view is obstructed. This manner of operation results that the Miyamoto et al system would suffer from the problem of the prior art as noted by the present application, of being more likely to have confusing movement of the point of view. This problem is noted in applicant's specification in the background portion. For example, in the BACKGROUND OF THE INVENTION portion of the specification, at page 2, line 18 through page 3, line 6, applicant noted:

However, if any of the methods as disclosed in these patents is employed, the shift of visual point position or the transmission process is automatically performed when the player character is hidden behind the obstruction. Therefore, in the case where the player character is hidden behind the obstruction only in a moment, the visual point may be shifted, although the player can issue an operation command in a current state. Hence, there is a problem of rather impairing the operability and making it difficult to grasp the display contents. For example, in the case where the player

character is hidden behind the obstruction only in a moment and then appears again as it is moved to an observable position, the visual point position should not be changed to grasp the movement direction of the player character and increase the operability. Also, in the case where the player character is hidden behind the obstruction in a moment and appears again repeatedly and alternately many times, the transmission process for the obstruction is repeated many times, resulting in a risk of making the display contents obscure.

Applicant's claimed system instead provides a better approach. A delay of an elapsed time is provided before the field of view is repositioned. This avoids the confusion to the user of sudden movements of the field of view visual point position when (as in Miyamoto, for example) the user moves the player close to some other object. In applicant's claims, in contrast, there is a timer that waits for the elapse of a time, before such shifting occurs. This would avoid sudden confusing shifting of fields of view.

Thus, it is submitted that Miyamoto does not teach or suggest what applicant claims in claims 14-18 and 49.

3. Claims 45-48 are patentable under 35 U.S.C. §103(a) over Miyamoto et al, U.S. Patent 6,139,433 and further in view of Rieder, U.S. Patent 6,017,272.

For the reasons noted above with respect to Miyamoto et al, which applicant re-asserts here, Miyamoto is lacking in crucial teachings or suggestions of applicant's claims. Claim 45, for example, recites the concept of the timing decision unit deciding that a player character and object satisfy a predetermined relation (e.g., spatial relation), and after the elapse of a time greater than zero, performs a process of changing the degree of transparency of an object between the player character and a visual point position.

The Examiner adds Rieder to provide the concept of transparency changing. However, Rieder does not provide what Miyamoto is lacking, the concept of waiting for the elapse of a time before performing the changing of the degree of transparency is changed. Absent such a teaching, Rieder cannot provide any motivation to add that concept to Miyamoto. Accordingly, the combination of Miyamoto and Rieder do not make applicant's claims 45-48 obvious.

4. Applicants claims 1-8, 14-18 and 45-49 do provide for the concept of "providing a delayed visual point repositioning".

Another point continued by the Examiner is that somehow the claims do not provide support for "providing a delayed visual point repositioning". Applicant respectfully submits that this position of the Examiner cannot be sustained. The Examiner is not looking to the meaning of the words of the claim, but instead

is apparently deciding that since the exact quoted language of a portion of the arguments in the applicant's response did not appear in the claims, that somehow applicant is arguing things that do not appear in the claims. Consider claim 1, for example, which includes among other things, the following:

visual point position setting unit for shifting said visual point position along with the movement of said player character so that said player character may be contained in a visual field range, and changing said visual point position in a predetermined range almost centered at said player character, when the elapse of said fixed time is detected by said timer.

Parsing the various portions of this part of the claim, it includes:

A visual point setting unit for shifting the visual point position . . . and changing the visual point position . . . when the elapse of said fixed time is detected by said timer.


If the above highlighted language does not support the concept of delayed visual point repositioning, then what would? The noted language has all the necessary elements for delayed visual point repositioning, the necessary element for shifting the visual point position, and the concept of changing that position after the elapse of a time. How else is delay accomplished by any machine or instrument or device, than by performing something after an amount of time has passed, in this particular claim, that delay being a fixed time.

CONCLUSION

Miyamoto et al, whether considered alone, or whether combined with Rieder, does not teach applicant's claims. The concepts of the delayed viewpoint repositioning and delayed transparency is absent from the references, both absent explicitly and absent of suggestion.

In view of the foregoing, it is submitted that claims 1-8, 14-18 and 45-49 of this application are patentable and it is accordingly requested that the Examiner's final rejection be reversed and that allowance of this application be directed.

Respectfully submitted,



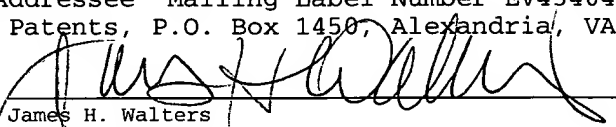
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James H. Walters

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

PATENT

In re Application of Confirmation No.: 3886
Shinichiro OKAMOTO et al Art Unit: 3713
S. N. 09/819,168 Examiner: B. A. D. Nguyen
Filed: March 27, 2001
For: GAME MACHINE AND INFORMATION STORAGE MEDIUM

CLAIMS Appendix (37CFR41.37(c)1(viii))

1. (previously presented) A game machine, comprising:
movement instructing unit for instructing the movement of a
player character in a three-dimensional virtual space;
space setting unit for setting the shapes of said player
character and an object existing around the player character and
their arrangement in said virtual space;
image generating unit for generating an image in said
virtual space as looked from a virtual visual point position;
timing decision unit for deciding the timing at which said
player character and said object satisfy relatively a
predetermined relation for at least one of the shapes and the
arrangement in said virtual space;

a timer for measuring a fixed time after said timing decision unit decides that said player character and said object satisfy the predetermined relation; and

visual point position setting unit for shifting said visual point position along with the movement of said player character so that said player character may be contained in a visual field range, and changing said visual point position in a predetermined range almost centered at said player character, when the elapse of said fixed time is detected by said timer.

2. (original) The game machine according to claim 1, wherein said timing decision unit decides the timing at which said player character is intercepted in the visual field by said object, as looked from said visual point position in a direction toward said player character, on the basis of the shapes of said player character and said object and their arrangement in said virtual space.

3. (original) The game machine according to claim 1, wherein said timing decision unit decides the timing at which said object is contained in a predetermined range around said player character.

4. (original) The game machine according to claim 3, wherein said visual point position is set above the height of

said player character, and said timing decision unit decides the timing for said object above the height of said player character.

5. (original) The game machine according to claim 1, wherein said visual point position setting unit changes said visual point position by rotating said visual point position by a predetermined angle around a rotational center of said player character position.

6. (original) The game machine according to claim 5, wherein said image generating unit generates said image continuously while said visual point position is being rotated by said visual point position setting unit.

7. (original) The game machine according to claim 5, wherein said visual point position setting unit continues an operation of rotating said visual point position, until said player character is kept from being intercepted by said object as looked from said visual point position.

8. (original) The game machine according to claim 1, further comprising return instructing unit for making a return instruction of returning the changed visual point position to an original state, when said visual point position is changed, wherein said visual point position setting unit returns said

changed visual point position to the original state, when the return instruction is made by said return instructing unit.

9-13. (canceled)

14. (previously presented) A game machine, comprising:
movement instruction unit instructing the movement of a player character in a three-dimensional virtual space;

space setting unit for setting the shapes of said player character and an object existing around the player character, and their arrangement in said virtual space;

image generating unit for generating an image in said virtual space as seen from a virtual visual point Position;
change instructing unit for instructing the change of said visual point position; and

visual point position setting unit for shifting said visual point position set in said virtual space, along with the movement of said player character, so that said player character may be contained in a visual field range, and changing said visual point position in a predetermined range almost centered at said player character, when a change instruction is made by said change instructing unit after a predetermined duration being greater than zero.

15. (original) The game machine according to claim 14, wherein said visual point position setting unit changes said visual point position by rotating said visual point position by a predetermined angle around a rotational center of said player character position.

16. (original) The game machine according to claim 15, wherein said image generating unit generates said image continuously while said visual point position is being rotated by said visual point position setting unit.

17. (original) The game machine according to claim 15, wherein said visual point position setting unit continues an operation of rotating said visual point position, until said player character is kept from being intercepted by said object as looked from said visual point position.

18. (original) The game machine according to claim 14, further comprising return instructing unit for making a return instruction of returning the changed visual point position to an original state, when said visual point position is changed, wherein said visual point position setting unit returns said changed visual point position to the original state, when the return instruction is made by said return instructing unit.

19-44. (canceled)

45. (previously presented) A game machine, comprising:

movement instructing unit for instructing the movement of a player character in a three-dimensional virtual space;

space setting unit for setting the shapes of said player character and an object existing around the player character, and their arrangement in said virtual space;

image generating unit for generating an image in said virtual space as seen from a virtual visual point position;

timing decision unit for deciding the timing at which said player character and said object satisfy relatively a predetermined relation for at least one of the shapes and the arrangement in said virtual space;

return instructing unit for making a return instruction of returning the changed degree of transparency for the object to an original state, when the degree of transparency for said object is changed;

visual point position setting unit for shifting said visual point position, along with the movement of said player character, so that said player character may be contained in a visual field range; and

transmission processing unit for performing a transmission process of changing the degree of transparency for the object placed between said player character and said visual point position, when said timing decision unit decides that said player

character and said object satisfy the predetermined relation and after the elapse of a time greater than zero, as well as returning the changed degree of transparency to the original state, when a return instruction is issued by said return instructing unit.

46. (original) The game machine according to claim 45, wherein said timing decision unit decides the timing at which said player character is intercepted in the visual field by said object, as looked from said visual point position in a direction toward said player character, on the basis of the shapes of said player character and said object and their arrangement in said virtual space.

47. (original) The game machine according to claim 45, wherein said timing decision unit decides the timing at which said object is contained in a predetermined range around said player character.

48. (original) The game machine according to claim 47, wherein said visual point position is set above the height of said player character, and said timing decision unit decides the timing for said object above the height of said player character.

49. (previously presented) An information storage medium storing a program for enabling a computer to execute a process of

deciding a timing at which player character and an object existing around the player character satisfy relatively a predetermined relation for at least one of a shape and an arrangement in a virtual space, and changing the visual point position in a predetermined range almost centered at said player character after the elapse of a fixed time wherein said fixed time is more than zero.

50. (canceled)

EVIDENCE APPENDIX (37CFR41.37(c)1(ix))

There is no evidence appendix.

RELATED PROCEEDINGS APPENDIX (37CFR41.37(c)1(x))

There is no related proceedings appendix.